

**REMARKS**

Claims 1-7 and 15-17 are pending in the present application. Claims 1-7 and 15-18 are rejected under 35 USC 103(a) as being unpatentable over Ayres et al (US 6,404,333).

**Claims 1-7**

Claims 1-16 were rejected under 35 USC 103(a) as being unpatentable over Ayres et al (US 6,404,333). The office action asserts that claims 1-7 are product by process claims that does not otherwise patentably distinguish over the prior art. The office action further asserts that Ayres discloses the limitations of the present invention with the exception of a single molded component backplate and mask, however arguing that such to combine such pieces is routine skill in the art.

The Applicant respectfully traverses the Examiner's rejections and requests reconsideration. The Applicant notes that what is labeled as a process description is rather a limitation of the structural nature of the cited product components. A molded backplate and mask combination is structurally different from a glued, fastened, carved, or other combination. The limitation molded, therefore, refers to a structural limitation and not a process limitation. Similarly, the molding of dial directly onto the backplate is again a structural limitation. A dial molded on the backplate will have structural characteristics different from a glued, fastened, or otherwise physically mounted dial. The term "molded" therefore is a structural limitation and not a process limitation.

In regards to the argument concerning the routine combination of pieces, the Applicant must again respectfully traverse. The limitations of an invention must be evaluated together and the novelty of their combination must be viewed as a whole. The backplate and mask combination is novel when taken along with the dial molded onto the backplate as the combination of these two limitations results in a strong, rattle free, robust design that is not warped (due to the combination of the backplate-mask). It is not simply a natural design choice but a novel combination that provides an improved quality instrument cluster. The Applicant, therefore, requests reconsideration. The Applicant notes that in order to further be assured of the "structural" limitations imparted by the terms molded, the Applicant has amended claim 1 to include the terms "first material" and "second material". This further clarifies the structural

limitations of the present invention as opposed to molding the whole thing as one piece as the office action implies is structurally identical. The pieces were clearly identified within the specification and claims as preferably being formed from differing materials. Therefore, the addition of these terms cannot be considered new matter.

**Claims 15-18 were rejected under 35 USC 103(a)**

Claims 1-16 were rejected under 35 USC 103(a) as being unpatentable over Ayres et al (US 6,404,333). The office action asserts that Ayres teaches in column 5, lines 38-42 that the display may be formed as an integral unit. The office action goes on to assert that this inherently includes forming a first and second shot of injection molding.


The Applicant respectfully traverses the Examiner's rejections. The Applicant respectfully notes that column 5, lines 38-42 discusses that the housing and display may be formed from "the same clear material" and ...[may be] "molded as an integral unit". The Applicant respectfully disagrees this bears any relationship to multi-step injection molding. Furthermore, as noted within the specification of the present invention, the injection of the display onto the backplate was found to warp the backplate. It is only with the novel combination of the present invention wherein the backplate and mask are first molded together, and then a second shot of injection molding is used to form the dial on the backplate that warping is prevented. Ayres teaches no such process nor renders such a process obvious. The cited reference to column 5 refers to a single molding step using one material and thus refers to a same material and being "molded as an integral unit". The present invention molds the backplate and mask as an integral unit, not the dial/display. The Applicant, therefore, submits that the present invention contains novel limitations over the cited art and that the rejections of claims 15-18 were improper. The Applicant, therefore, requests reconsideration.

**CONCLUSION**

The Applicant would like to thank the Examiner for his assistance. In light of the above amendments and remarks, Applicant submits that all objections and rejections are now overcome. Applicant has added no new material to the application by these amendments. The application is now in condition for allowance and expeditious notice thereof is earnestly solicited.

Should the Examiner have any questions or comments that would place the application in better condition for allowance, the Examiner is respectfully requested to call the undersigned attorney.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Thomas E. Donohue", written over a horizontal line.

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**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**In the Claims**

Claim 1 has been replaced with the following:

1. (Twice Amended) An automotive dash instrument cluster comprising:  
an injected molded backplate comprised of a first material;  
an injected molded mask comprised of said first material, said injected molded mask and said injected molded backplate molded as a single component; and  
an injected molded dial molded directly [formed] onto said injected molded backplate, said injected molded dial comprises of a second material different from said first material.